

66/90/80



16648 U.S. PRO

ReissueA

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

LARREN F. JONES ET AL.

PATENT NO: 5,653,048

ISSUED: AUGUST 5, 1997

(SERIAL NO.: 08/554,158)

(FILING DATE: NOVEMBER 6, 1995)

FILED: AUGUST 5, 1999

FOR: WEAR ASSEMBLY FOR A DIGGING  
EDGE OF AN EXCAVATOR

ATTY DKT NO.: 51291.81516



TRANSMITTAL OF REISSUE APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a Reissue Application including a Request for Transfer of Drawings, Request for Abstract of Title, Offer to Surrender Original Patent, Assent of Assignee to Reissue, and Joint Reissue Application Declaration.

Enclosed is our check in the amount of \$785.00 for the filing of the above new reissue application (\$760 for the application filing fee and \$25 for the Abstract of Title). Please charge any additional fees or credit any overpayment to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: August 5, 1999

By:

Steven P. Schad  
Registration No. 32,550

BANNER & WITCOFF, LTD.  
1001 G Street, N.W.  
Eleventh Floor  
Washington, D.C. 20001-4597  
(202) 508-9100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF :  
LARREN F. JONES ET AL. : ATTY DKT NO.: 51291.81516  
PATENT NO: 5,653,048 :  
ISSUED: AUGUST 5, 1997 :  
SERIAL NO: 08/554,158 :  
FILED: NOVEMBER 6, 1995 :  
FOR: WEAR ASSEMBLY FOR A DIGGING :  
EDGE OF AN EXCAVATOR :

ASSENT OF ASSIGNEE TO REISSUE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, on behalf of ESCO Corporation, the assignee of the entire interest in the above-identified letters patent, hereby assents to the accompanying application for reissue.

August 4, 1999  
Date

By:

Kenneth M. McCaw, Jr.  
Vice President, General  
Counsel & Secretary

#6

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF :  
LARREN F. JONES ET AL. : ATTY DKT NO.: 51291.81516  
PATENT NO: 5,653,048 :  
ISSUED: AUGUST 5, 1997 :  
SERIAL NO: 08/554,158 :  
FILED: NOVEMBER 6, 1995 :  
FOR: WEAR ASSEMBLY FOR A DIGGING :  
EDGE OF AN EXCAVATOR :

REQUEST FOR TRANSFER OF DRAWINGS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants for the accompanying reissue patent application hereby request transfer of the drawings contained in the file of the above-captioned letters patent to the present application for reissue.

Please charge all costs incurred by reason of the above request to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: Aug. 5, 1999

By: Steven P. Schad  
Steven P. Schad  
Registration No. 32,550

BANNER & WITCOFF, LTD.  
1001 G Street, N.W.  
Eleventh Floor  
Washington, D.C. 20001-4597  
(202) 508-9100

#2

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF :  
LARREN F. JONES ET AL. : ATTY DKT NO.: 51291.81516  
PATENT NO: 5,653,048 :  
ISSUED: AUGUST 5, 1997 :  
SERIAL NO: 08/554,158 :  
FILED: NOVEMBER 6, 1995 :  
FOR: WEAR ASSEMBLY FOR A DIGGING :  
EDGE OF AN EXCAVATOR :

REQUEST FOR ABSTRACT OF TITLE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please prepare a certified Abstract of Title with respect to the above-captioned original patent for placing in the official file of the Reissue Application which is filed herewith.

Please charge any outstanding fee for which payment in full has not been tendered, or credit any overpayment, to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: *Aug. 5, 1999*

By: *Steven P. Schad*  
Steven P. Schad  
Registration No. 32,550

BANNER & WITCOFF, LTD.  
1001 G Street, N.W.  
Eleventh Floor  
Washington, D.C. 20001-4597  
(202) 508-9100

47

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF :  
LARREN F. JONES ET AL. : ATTY DKT NO.: 51291.81516  
PATENT NO: 5,653,048 :  
ISSUED: AUGUST 5, 1997 :  
SERIAL NO: 08/554,158 :  
FILED: NOVEMBER 6, 1995 :  
FOR: WEAR ASSEMBLY FOR A DIGGING :  
EDGE OF AN EXCAVATOR :

OFFER TO SURRENDER ORIGINAL PATENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.178, the undersigned applicants of the accompanying reissue application for the reissue of the above-identified letters patent, which is assigned to ESCO Corporation, hereby offer to surrender said letters patent.

\_\_\_\_\_  
Larren F. Jones

Dated: \_\_\_\_\_

\_\_\_\_\_  
Robert E. McClanahan

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hezekiah R. Holland

Dated: \_\_\_\_\_



US005653048A

**United States Patent** [19]  
**Jones et al.**

[11] **Patent Number:** 5,653,048  
[45] **Date of Patent:** Aug. 5, 1997

- [54] **WEAR ASSEMBLY FOR A DIGGING EDGE OF AN EXCAVATOR**
- [75] **Inventors:** **Larren F. Jones, Aloha; Robert E. McClanahan, Portland, both of Oreg.; Hezekiah R. Holland, San Diego, Calif.**
- [73] **Assignee:** **ESCO Corporation, Portland, Oreg.**
- [21] **Appl. No.:** 554,158
- [22] **Filed:** Nov. 6, 1995
- [51] **Int. Cl.<sup>6</sup>** ..... **E02F 09/28**
- [52] **U.S. Cl.** ..... **37/452; 37/455; 37/450**
- [58] **Field of Search** ..... **37/446, 449, 450, 37/451, 452, 453, 454, 455, 456, 458; 172/772, 772.5, 713, 753; 403/16, 19, 20, 22, 374, 319**

4,267,653	5/1981	Hahn et al. .	
4,317,300	3/1982	Emrich et al. ....	37/456 X
4,433,496	2/1984	Jones et al. ....	37/456
4,577,423	3/1986	Hahn .	
4,748,754	6/1988	Schwappach .	
4,899,830	2/1990	Maguina-Larco .....	37/455 X
4,965,945	10/1990	Emrich .	
5,005,304	4/1991	Briscoe et al. ....	37/451
5,056,243	10/1991	Sprunger et al. ....	37/453
5,063,695	11/1991	Briscoe et al. ....	37/451
5,063,696	11/1991	Smith .....	37/451 X
5,088,214	2/1992	Jones .	
5,241,765	9/1993	Jones et al. .	
5,325,615	7/1994	Hutchins et al. ....	37/454 X
5,337,495	8/1994	Pippins .....	37/452 X
5,410,826	5/1995	Immel et al. ....	37/455 X
5,417,518	5/1995	Bierwith .....	403/374
5,438,774	8/1995	Fletcher et al. .	
5,452,529	9/1995	Neuenfeldt et al. ....	403/374 X

**FOREIGN PATENT DOCUMENTS**

2111558 7/1983 United Kingdom .

*Primary Examiner*—Terry Lee Melius  
*Assistant Examiner*—Victor Baton  
*Attorney, Agent, or Firm*—Banner & Witcoff, Ltd.

[56] **References Cited**  
**U.S. PATENT DOCUMENTS**

Re. 33,042	9/1989	Emrich .	
775,770	11/1904	Herrod, Jr. ....	37/456 X
1,885,326	11/1932	Brune .....	37/456 X
2,996,291	8/1961	Krekeler .	
3,345,765	10/1967	Petersen .....	37/449
3,357,117	12/1967	Petersen .....	37/449
3,371,437	3/1968	Wilson et al. .	
3,388,488	6/1968	Duplessis .	
3,426,459	2/1969	Petersen .....	37/446 X
3,537,735	11/1970	Hawk .....	403/16
3,841,007	10/1974	Howarth et al. .	
3,896,569	7/1975	Thompson et al. .	
3,919,792	11/1975	Hahn et al. .	
3,974,579	8/1976	Black et al. .	
4,205,469	6/1980	Johansson et al. .	
4,233,761	11/1980	Ryerson .	

[57] **ABSTRACT**

A wear assembly for attaching to a digging edge of an excavator includes a boss, a wear member and a lock. The boss is fixed to the excavator and defines a T-shaped coupling structure. The adapter includes a rearwardly extending mounting leg and a forwardly extending working end. The leg includes a T-shaped slot adapted to be received over the T-shaped structure of the boss. The adapter leg further includes an opening for receiving a lock. The lock includes an adjustment assembly for eliminating any looseness which may exist between the adapter and the boss.

**54 Claims, 8 Drawing Sheets**

